

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

UNITED STATES OF AMERICA : Criminal Action No. 10-637
v. : PJM 10-637
AMRIK SINGH MELHI, : Greenbelt, Maryland
Defendant. : Thursday, June 16, 2011

TRANSCRIPT OF RE-ARRAIGNMENT/GUILTY PLEA PROCEEDINGS
BEFORE THE HONORABLE PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE GOVERNMENT: A. DAVID COPPERTHITE, Esquire
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COMPUTER-AIDED TRANSCRIPTION OF STENOTYPE NOTES

P-R-O-C-E-E-D-I-N-G-S

2 THE DEPUTY CLERK: The matter now pending before this
3 Court is Criminal Action Number PJM 2010-0637, the United States
4 of America versus Amrik Singh Melhi. The matter is now before
5 the Court for re-arrainment/guilty plea.

6 THE COURT: All right. Counsel, identify yourselves
7 for the government and then defendant.

8 MR. COPPERTHITE: Good afternoon, Your Honor. David
9 Copperthite, Assistant United States Attorney. To my right is
10 Special Agent Annette Shumaker from the FBI, the case agent.

11 THE COURT: All right.

12 MR. RAVENELL: Good afternoon, Your Honor. Pleasure
13 seeing you again. Ken Ravenell, Milin Chun and Edward Leyden on
14 behalf of Mr. Melhi who is present.

15 THE COURT: All right. Counsel, before we get
16 started, I'd like to see you at the bench for a few minutes if
17 you would.

18 (Bench conference.)

19 THE COURT: Now, this portion of the record will be
20 sealed.

21 (Whereupon, the bench conference was recorded, but sealed
22 by order of the Court.)

23 (Open court.)

24 THE COURT: All right. Madam Clerk, would you swear
25 the defendant please?

1 THE DEPUTY CLERK: Sir, please stand and raise your
2 right hand.

3 **AMRIK SINGH MELHI, DEFENDANT, SWORN**

4 THE COURT: All right. Sir, have a seat if you would.
5 Pull that microphone close to you. State your full name.

6 THE DEFENDANT: Amrik Singh Melhi.

7 THE COURT: How old are you?

8 THE DEFENDANT: Fifty-one year old.

9 THE COURT: What is your home address?

10 THE DEFENDANT: 13516 Meadowleaf Court, Rockville,
11 Maryland 21029.

12 THE COURT: Are you married or single?

13 THE DEFENDANT: Married.

14 THE COURT: And you have children?

15 THE DEFENDANT: Three children.

16 THE COURT: Are they minors living with you or your
17 wife?

18 THE DEFENDANT: Yes.

19 THE COURT: All right. And what's your latest
20 occupation?

21 THE DEFENDANT: Businessman.

22 THE COURT: You're what?

23 THE DEFENDANT: I'm self-employed.

24 THE COURT: How far did you go in school?

25 THE DEFENDANT: I have a college degree from India.

1 THE COURT: All right. Are you under the influence of
2 any kind of alcohol or drug this afternoon?

3 THE DEFENDANT: No, sir.

4 THE COURT: Are you under the care of any
5 psychiatrist, psychologist or mental health professional?

6 THE DEFENDANT: No, sir.

7 THE COURT: All right. Now, Mr. Melhi, you have been
8 charged in a single count indictment with a Hobbs Act conspiracy
9 under 18 United States Code Section 1951. Do you understand
10 that?

11 THE DEFENDANT: Yes.

12 THE COURT: Have you seen the document entitled
13 "Indictment" that charges you with this offense?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Have you read it over?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Have you discussed it with your attorneys?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And have you told them everything you know
20 about the case?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: All right. Now, the record shows that on
23 November the 30th, 2010, you were arraigned and you entered a
24 not guilty plea; is that correct?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: All right. I'm advised that since that
2 time you have reached an agreement with the government relative
3 to your plea. Is that also correct?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. I have in front of me a letter
6 addressed to Mr. Ravenell. It bears the date June 13, 2011. It
7 consist of 12 pages. There is a signature line on page nine for
8 Mr. Copperthite, Mr. Crowell, Mr. Raman; for Kenneth W.
9 Ravenell, Esquire and then for Amrik Singh Melhi with the date
10 6/14/2011 to the left. There also is a signature line on page
11 12 for Amrik Singh Melhi, not dated, but perhaps you can date
12 that before we're through. Are those your signatures that
13 appear?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Is that the Plea Agreement that you've
16 reached with the government?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And have you gone over that with your
19 attorney?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And has he had a chance to explain the
22 terms of the agreement with you?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: And have you had a chance to ask him to,
25 any questions that you might have?

1 THE DEFENDANT: Yes.

2 THE COURT: All right. Now, in fact you are charged
3 with violation of the Hobbs Act, to conspiracy under 1951. And
4 what is the plea that you're going to enter at this time?

5 THE DEFENDANT: Guilty.

6 THE COURT: All right. What I'm going to do is ask
7 the government to recite what the basic terms of the agreement
8 are. Afterwards, I'm going to ask you whether these are the
9 terms that you have in fact agreed to, so please pay careful
10 attention.

11 All right, Mr. Copperthite.

12 MR. COPPERTHITE: Thank you, Your Honor. Under the
13 agreement which the Court has referenced, the defendant has
14 agreed to plead guilty to the single count of Hobbs Act
15 Conspiracy. He admits in fact that he is guilty of that
16 offense.

17 The elements of the offense, as set forth in paragraph
18 two are as follows: The defendant did conspire, confederate and
19 agree with at least one other person, including a public
20 official that the public official obtain property or services
21 not due him or his office.

22 The property or services were given with the consent
23 of the defendant who knew that the property was given because of
24 the power of the public official's official position; and
25 interstate or an item moving in interstate commerce was delayed,

1 obstructed or affected in any way or degree.

2 The penalties of this offense is a maximum of 20 years
3 incarceration, followed by a term of supervised release of three
4 years and a fine of \$250,000. In addition, the defendant must
5 pay a \$100 special assessment.

6 The waiver of rights is set forth in paragraph four,
7 which the Court will review with the defendant. Under paragraph
8 five, the defendant understands the Court will determine the
9 sentencing guideline range for the case, an advisory guideline
10 range in accordance with the section set forth in paragraph
11 five.

12 Paragraph six sets forth the factual and advisory
13 guideline stipulation. The parties have agreed as follows: The
14 base offense level is 12 under Section 2C1.1(a)2. There's a
15 two-level increase because the offense involved more than one
16 bribe or extortion under 2C1.1(b) (1). The parties agree that a
17 ten-level specific offense characteristic increase applies under
18 Section 2C1.1(b) (2) and 2B1.1(b) (1) (F) because the loss
19 attributable to the defendant was more than \$120,000, but less
20 than \$200,000.

21 A four-level specific offense character increase
22 applies under Section 2C1.1(b) (3) because the public official
23 was in a high level decision or sensitive position.

24 The government will not oppose a two-level reduction
25 of the defendant's combined offense level. And if the defendant

1 accepts responsibility and does in fact enter a guilty plea, the
2 government would move for an additional one level. Therefore,
3 the final adjusted offense level would be offense level 25.

4 Under guideline factors not stipulated in paragraph
5 seven, the defendant reserves the right to argue for the
6 following sentencing guidelines factors: Section 5H1.1, which
7 is age; 5H1.4, physical condition; 1.6, family ties and
8 5K2.1(3), diminished capacity. The government reserves the
9 right to oppose any application of those guidelines factors.

10 Under paragraph eight, there is no agreement as to the
11 defendant's criminal history or criminal history category, and
12 the defendant recognizes that that criminal history could alter
13 the offense level if he is a career offender or if it's part of
14 the criminal conduct from which he derives a substantial part of
15 his income.

16 Paragraph nine, with respect to the calculation of the
17 advisory guideline range, there are no other offense
18 characteristics, sentencing guidelines factors, potential
19 departures or adjustments as set forth in the sentencing
20 guidelines that will be raised or are in dispute.

21 Under paragraph ten, the defendant agrees and the
22 Court will order the forfeiture of \$975,327.32, which represents
23 the full amount of forfeiture being sought by the government.

24 THE COURT: Before you leave that paragraph, I notice
25 in the indictment that there are several pages of alleged items

1 of forfeiture.

2 MR. COPPERTHITE: Yes, Your Honor.

3 THE COURT: Are they, is this the total forfeiture
4 comprehended by the paragraph in the agreement or are there
5 other properties against which you're also intending to proceed?

6 MR. COPPERTHITE: So we can be clear, Your Honor, this
7 amount represents cash that was seized from the defendant at his
8 residence and bank accounts. So the money is already in the
9 possession of the government.

10 THE COURT: What about the properties though?

11 MR. COPPERTHITE: Most of those properties were either
12 encumbered. They have not been seized.

13 THE COURT: And will not be seized?

14 MR. COPPERTHITE: And will not be seized.

15 THE COURT: All right. Go ahead.

16 MR. COPPERTHITE: We actually have this amount in
17 hand.

18 THE COURT: All right. Go ahead.

19 MR. COPPERTHITE: The defendant agrees to consent to
20 the entry of an order of forfeiture for that property and waives
21 the requirements of any of Federal Rules of Criminal Procedure
22 regarding forfeiture.

23 In paragraph 11, the defendant agrees to assist in the
24 forfeiture and to take all steps necessary to pass clear title
25 to the monies that I have previously mentioned set forth in

1 paragraph ten. And also under paragraph 12, he agrees to waive
2 any review of the forfeiture set forth in the Plea Agreement.

3 Under paragraph 13, at the time of sentencing, the
4 government will recommend a sentence within the applicable
5 guideline range and that no fine be imposed. The parties
6 reserve the right to bring to the Court's attention all of the
7 relevant information concerning the defendant's background,
8 character and conduct under paragraph 14.

9 Under paragraph 15, other than the offense to which
10 the defendant has agreed to plead guilty and with the exception
11 of crimes of violence, crimes against children and civil tax
12 violations, the government will not prosecute the defendant for
13 any other violations of federal criminal law that arise from the
14 facts stipulated by the defendant and the government attached
15 hereto and incorporated herein that forms the basis of the Plea
16 Agreement.

17 Paragraph 16 sets forth the waiver of appeal. And
18 under the paragraph 16, paragraph 16-B, the defendant reserves
19 the right to appeal any term of imprisonment to the extent that
20 it exceeds any sentence within the advisory guideline range
21 resulting from an adjusted base offense level of 25. And the
22 government reserves the right to appeal any term of imprisonment
23 to the extent that it is below any sentence within the advisory
24 guideline range resulting from an adjusted base offense level of
25 25.

1 Under paragraph C, Rule 35A still applies and there's
2 nothing in the agreement to prevent that from being imposed.

3 Under paragraph D, the defendant waives any and all
4 rights under the Freedom of Information Act relating to
5 documents and information pursuant to this agreement.

6 Under paragraph 17, the defendant agrees he will not
7 commit any offense in violation of federal, state or local law
8 between the date of this agreement and the sentencing. And if
9 the defendant engages in that kind of conduct, which would
10 justify a finding of obstruction of justice, fails to accept
11 personal responsibility by failing to acknowledge his guilt to
12 the probation officer, or commits any offense in violation of
13 federal, state or local law, then the government will be
14 relieved of its obligation to the defendant as reflected in this
15 agreement.

16 Paragraph 18 sets forth the fact that the Court is not
17 a party and the Court will take all of the factors into
18 consideration at sentencing, including the presentencing report
19 and all information provided by counsel.

20 Paragraph 19 sets forth that this is the entire
21 agreement between the defendant and the government. And that
22 will be the Plea Agreement, Your Honor.

23 THE COURT: All right. Mr. Melhi, you heard that
24 recitation of the terms. Is that your understanding of what
25 you've agreed to?

1 THE DEFENDANT: Yes, sir.

2 MR. RAVENELL: Actually, Your Honor, there's one other
3 thing I want to bring up, Your Honor.

4 THE COURT: Go ahead, Mr. Ravenell.

5 MR. RAVENELL: With regard to paragraph 15, the
6 parties agree that the plea covers all outstanding conduct known
7 to the government except for those matters that are set forth in
8 paragraph 15, the crimes of violence and other two matters set
9 forth there. Just want to make sure we're clear before you ask
10 Mr. Melhi that question.

11 MR. COPPERTHITE: That is correct. I think that is
12 covered in the paragraph, Your Honor.

13 THE COURT: All right, very good.

14 Now, just some items that I want to emphasize with
15 you, Mr. Melhi. You understand that with regard to the charge
16 that you are pleading guilty to, there is a maximum sentence
17 under the statutes of 20 years incarceration, a term of
18 supervised release up to three years and a fine of up to
19 \$250,000, is that clear?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And there's a special assessment of \$100
22 due and payable at the time of sentencing.

23 Now, do you understand that if you're given jail time
24 and put on supervised release, and you violate a condition of
25 your supervised release, you can be put back in jail without

1 credit for time served on supervised release, is that
2 understood?

3 THE DEFENDANT: That's correct, sir.

4 THE COURT: All right. Now, there has been reference
5 to sentencing guidelines. Have you talked to your attorneys
6 about sentencing guidelines?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Do you understand this is a system whereby
9 your offense is given a score, a base level and then it's
10 increased by certain aggravating factors, decreased by certain
11 mitigating factors. And the Court then together with probation
12 and the attorneys calculates your criminal history. And then
13 depending on the calculations, the Court consults a sentencing
14 table, and that indicates what your recommended range is as far
15 as custody, supervised release and fine. Is that understood?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: I'm not going to know the guideline range
18 in your case until I see the report from the probation officer.
19 And if you have any dispute about the facts that go into the
20 computation, you raise that and I'll make a final determination
21 at the time of sentencing, is that clear?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: But depending on whatever the outcome is,
24 the Court can still go above or below the guidelines as long as
25 it's within the statutory maximum and you would not for that

1 reason be able to withdraw your plea, is that understood?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: So if I give you a sentence more severe
4 than you expect or more severe than the government recommends,
5 that won't be a basis to withdraw your plea. Is that also
6 understood?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: All right. Now, do you understand you're
9 not required to plead guilty?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: And if you plead not guilty, the
12 government has to prove you guilty beyond a reasonable doubt,
13 which is a heavy burden. Is that understood?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you understand that by pleading guilty,
16 you will be admitting that you committed this offense?

17 THE DEFENDANT: Yes.

18 THE COURT: All right. Were you on parole, probation
19 or supervised release for any other offense at the time of this
20 offense?

21 THE DEFENDANT: No, sir.

22 THE COURT: All right. Are you satisfied that's so,
23 Mr. Ravenell?

24 MR. RAVENELL: Yes, Your Honor.

25 THE COURT: All right. When you plead guilty, you

1 give up certain rights and I'm going to go over those with you
2 now.

3 You have a right to a trial by jury. Twelve people
4 would be selected randomly from the voter list of the state.
5 Your attorney could ask questions to assure they would be fair
6 and impartial. Each of those 12 would have to be convinced of
7 your guilt beyond a reasonable doubt before you can be found
8 guilty.

9 Or you could elect to have a trial before a judge
10 alone. The judge would have to be convinced of your guilt
11 beyond a reasonable doubt before you can be found guilty.

12 You'd have a right to a speedy trial. You'd have the
13 right to the assistance of an attorney. And if you couldn't
14 afford one, one would be provided for you. You'd be presumed
15 innocent unless and until proven guilty.

16 You would have a right to remain silent. You cannot
17 be compelled to testify and the prosecutor could not comment on
18 that fact to the judge or jury. You'd have a right to confront
19 and cross-examine the government's witnesses, and you could call
20 your own witnesses. Is that understood?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: These are all rights that you give up when
23 you plead. Is that also understood?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Mr. Ravenell, is there any basis to

1 challenge the legality of any of the government's acts;
2 searches, seizures, statements taken or the like? I see there
3 was a Motion to Suppress filed.

4 MR. RAVENELL: Yes, Your Honor, there is a basis to
5 challenge and we're withdrawing those motions at this time.

6 THE COURT: All right. So it's clear, though,
7 Mr. Melhi, if you think that the government or its agents acted
8 illegally in any way in conducting any searches and seizures,
9 taking any statements from you or the like, you could file
10 motions before trial.

11 I would hear those motions and depending on my
12 rulings, that could have some consequence for the underlying
13 charge. But if you plead guilty, you give up the right to
14 challenge the legality of the government's acts. Is that also
15 understood?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: All right. You should also understand
18 that if a plead guilty, you give up -- you may suffer additional
19 legal consequences beyond imprisonment, supervised release or
20 fine. You may be unable to get or keep certain licenses,
21 permits or jobs. You may be unable to get or keep public
22 benefits, such as public housing or educational assistance
23 loans.

24 You may in future get a harsher sentence if you're
25 convicted of another offense in the future. You obviously are

1 subject to forfeiture in this case of several hundred thousand
2 dollars. You would be unable to vote or possess a firearm. Do
3 you understand that?

4 THE DEFENDANT: Yes.

5 THE COURT: Are you U.S. citizen?

6 THE DEFENDANT: No, sir.

7 THE COURT: Well, it's possible a guilty plea could
8 result in your deportation, removal or exclusion from admission
9 to the United States or denial of citizenship. Do you
10 understand that?

11 THE DEFENDANT: Yes.

12 THE COURT: All right. Do you understand that if you
13 plead guilty, there'll be no further trial of any kind, so you
14 are giving up your right to a trial?

15 THE DEFENDANT: Yes.

16 THE COURT: All right. And there also is a waiver of
17 appeal, except with some limited circumstances. And I would
18 call your attention to paragraph 16.

19 First of all, if the Court imposes an illegal
20 sentence, you can always appeal that. But there's a right of
21 appeal with regard to the calculation of your offense level
22 under the sentencing guidelines. If you get a sentence beyond
23 what an offense level of 25 would indicate, you can appeal that
24 calculation, understood?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: The government has a right to appeal if
2 there's a sentence lower than what a 25 indicates, is that
3 clear?

4 THE DEFENDANT: Yes.

5 THE COURT: Is it assumed that there's a criminal
6 history category one, or just no agreement on criminal history?

7 MR. COPPERTHITE: No agreement as to the criminal
8 history.

9 MR. RAVENELL: Your Honor, we are assuming it's a
10 category one, but Mr. Copperthite is right, there's no
11 agreement.

12 THE COURT: All right, fair enough.

13 All right. Now, with regard to this case then, you
14 are giving up your right to appeal except as indicated. Is that
15 something you're agreeing to voluntarily?

16 THE DEFENDANT: Yes.

17 THE COURT: Now, what I'm going to do is ask the
18 government to state the facts that it would be prepared to prove
19 if the matter went to trial. I'm going to ask you whether these
20 facts are accurate. You are under oath. You must answer
21 truthfully or you're subject to separate prosecution for perjury
22 or false statements, so please pay careful attention.

23 All right, Mr. Copperthite.

24 MR. COPPERTHITE: Thank you, Your Honor. These are
25 the facts set forth in Attachment A. I won't read all of the

1 facts, but they are incorporated into the pleading in their
2 entirety.

3 The Defendant Amrik Singh Melhi was a resident of
4 Maryland and he owned and/or operated several businesses in
5 Prince George's County and elsewhere with his wife, Ravinder
6 Kaur Melhi. These businesses included, among others, Tick Tock
7 Liquors in Hyattsville, Maryland; Langways Liquors in Lanham;
8 Decker's Liquors in Bel Air, Maryland.

9 Jack Bruce Johnson held the elected position of Prince
10 George's County Executive from 2002 through December, 2010.
11 Prior to 2002, Jack Johnson was the County's elected State's
12 Attorney.

13 Richard Delabrer was a resident of Maryland, served
14 with the Prince George's County Police Department for over 20
15 years and in 2009 was assigned to the robbery squad.

16 Amir Miljkovic, a resident of Maryland, owned an auto
17 glass store located in College Park, Maryland.

18 Jose Moreno is a self-employed body shop mechanic who
19 resided and owned a business in northern Virginia.

20 Between 2009 and October 2010, Mr. Melhi willfully and
21 unlawfully conspired with Jack Johnson, Delabrer, Miljkovic,
22 Moreno and others to obstruct, delay and affect commerce and to
23 obstruct, delay and affect the movement of articles and
24 commodities in commerce, by extortion in the form of public
25 officials obtaining under color of official right the property

1 of others with their consent, and not due to the officials and
2 their offices by agreeing that Melhi and others would provide
3 things of value, including money, to public officials, including
4 Delabrer, in return for official acts involving the enforcement
5 of state and federal laws by Prince George's County Police
6 Department, and the transport and distribution of untaxed
7 alcohol in Maryland, Virginia and elsewhere.

8 And by agreeing that Melhi and others would provide
9 things of value, including money, certain campaign donations and
10 other things of value to Jack Johnson in exchange for various
11 official acts, including among others obtaining licenses and
12 permit inspections to conduct business in the county and
13 influencing legislation favorable to Melhi's liquor and
14 restaurant businesses in the county.

15 In June 2009, Miljkovic began discussing with the
16 confidential source working with the FBI the transport and sale
17 of untaxed cigarettes and alcohol across state lines.

18 Miljkovic owned a business called Prestige Auto Glass
19 and during one meeting Miljkovic stated that he had an associate
20 who was a Prince George's County Police Officer named Richard
21 who would assist them in their activities. Miljkovic stated
22 that Richard, using his official police authority, could protect
23 the shipments of contraband, cigarettes and alcohol, and the
24 proceeds and monies that were to be transacted. Richard was
25 identified as Richard Delabrer.

1 Miljkovic introduced the confidential source and an
2 undercover agent to Delabrer who agreed to provide protection
3 for the contraband transactions.

4 During the time of this conspiracy, Maryland imposed a
5 sales tax of \$1.50 per gallon of liquor. Alcohol transported
6 from Virginia into Maryland without any taxes being paid to the
7 Maryland state government was contraband.

8 By July, 2009, Miljkovic and Delabrer began purchasing
9 contraband alcohol from the undercover, which they sold to Melhi
10 for distribution at Tick Tock Liquors, Langway Liquors, Decker's
11 Liquors and elsewhere. Delabrer who worked part-time for Melhi
12 and Ravender Melhi by providing security at Tick Tock Liquors
13 initially served as a go-be-between by coordinating the sale of
14 contraband liquor from the undercover to Melhi.

15 Eventually, Delabrer introduced the undercover to
16 Melhi who began transacting directly in the interstate shipment
17 of illicit goods. Delabrer and Miljkovic maintained their
18 involvement in these illegal transactions by providing
19 protection for the delivery of the contraband alcohol.

20 During the conspiracy, Delabrer and Miljkovic enlisted
21 the assistance of Moreno. Moreno's role was to drive the
22 contraband to Maryland from Virginia.

23 Over the course of the conspiracy, Melhi, Delabrer,
24 Miljkovic and Moreno were involved in multiple sales of
25 truckloads of contraband that traveled in interstate commerce

1 which involved the undercover. During the course of the
2 conspiracy, Melhi, Delabrer and Miljkovic paid the undercover
3 \$116,505 in cash and/or checks for the contraband alcohol they
4 purchased.

5 Delabrer protected the shipments of contraband liquor
6 by following the vehicles transporting the liquor while
7 maintaining in his possession his police identification, as well
8 as his Prince George's County Police Department issued firearm.
9 While dealing with the source and the undercover, Delabrer was
10 observed at least once possessing one or more firearms during
11 the course of an actual transaction. Miljkovic accompanied
12 Delabrer during those protected runs.

13 During the conspiracy Melhi utilized cellular
14 telephones to conduct the contraband alcohol business. Pursuant
15 to court authorized intercepts, investigating agents intercepted
16 calls to and from the cellular phone. Thousands of calls were
17 monitored and several individuals, including Melhi, Delabrer and
18 Miljkovic were intercepted regarding the contraband alcohol
19 trafficking.

20 Specifically, Melhi had conversations with the
21 undercover in which they agreed always to have Delabrer present
22 for the transactions. While present for the transaction,
23 Delabrer was in possession of this police identification and his
24 Prince George's County Police Department issued firearm.

25 And those would be the summary of the Statement of

1 Facts provided for the Court.

2 THE COURT: Before I ask Mr. Melhi whether that's his
3 understanding of the facts, could counsel come up for a moment
4 again please?

5 (Bench conference.)

6 THE COURT: This portion is also sealed.

7 (Whereupon, the bench conference was recorded, but sealed
8 by order of the Court.)

9 (Open court.)

10 THE COURT: All right. Mr. Melhi, you've heard the
11 Statement of Facts as recited by the government. Are those
12 facts accurate?

13 THE DEFENDANT: Yes.

14 THE COURT: All right. Now, with regard to the Plea
15 Agreement that you've reached with the government, has anybody
16 made any promise to you as to this case that's not set forth in
17 the Plea Agreement?

18 THE DEFENDANT: No, sir.

19 THE COURT: All right. That's the entire agreement
20 that you have?

21 THE DEFENDANT: Yes.

22 THE COURT: And are you agreeing to the agreement
23 voluntarily?

24 THE DEFENDANT: Yes.

25 THE COURT: No one threatened or coerced you to make

1 you agree?

2 THE DEFENDANT: No, sir.

3 THE COURT: Are you pleading guilty voluntarily?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Did anyone threaten or coerce you to make
6 you plead guilty?

7 THE DEFENDANT: No, sir.

8 THE COURT: Are you pleading guilty because you are
9 guilty and for no other reason?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Is there anything you don't fully
12 understand about these proceedings?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Do you understand what's going on here?

15 THE DEFENDANT: I think --

16 THE COURT: Do you want to take a moment or two to
17 talk to your lawyer? If you need to ask Mr. Ravenell some
18 questions, you can.

19 MR. RAVENELL: I think if you reask the question, but
20 I'm happy to consult.

21 (Discussion held off the record.)

22 MR. RAVENELL: You can reask it.

23 THE COURT: All right. So I'll reask the question.
24 Is there anything you don't fully understand about these
25 proceedings? Do you understand what's going on?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right. Are you satisfied with your
3 attorney's services?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Taking into account everything said, do
6 you still choose to plead guilty to this charge?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: The Court finds that the defendant's plea
9 has been made knowingly and voluntarily. Also, that there are
10 sufficient facts to find him guilty as charged. The Court finds
11 further that the plea accords with Sentencing Guideline 6B1.2(a)
12 and that it conforms to the purposes of sentencing and the
13 policies of the sentencing guideline, and that it adequately
14 reflects the seriousness of the actual offense behavior.

15 The Court accepts the plea, enters a finding of guilty
16 and will embody the Plea Agreement in its judgment at sentence.

17 Sentencing dates, September 12, 14, 13, 14 or do you
18 want to -- excuse me. September 12, September 14, October 13,
19 October 14, or do you want to advise me as to when you would
20 reach a mutually agreeable date?

21 MR. COPPERTHITE: Can I just have a moment, Your
22 Honor.

23 THE COURT: September 12, 14; October 13, 14.

24 MR. RAVENELL: Just a second, Your Honor.

25 (Pause.)

1 MR. RAVENELL: 12th and 13th works.

2 THE COURT: October 13th?

3 MR. COPPERTHITE: That's fine, Your Honor.

4 MR. RAVENELL: Your Honor, I'm sorry. The 12th would
5 be good.

6 THE COURT: Well, the 12th I have in September; 13th
7 is October.

8 MR. RAVENELL: 12th of September. That's fine. We
9 can always come back if we need to change it.

10 THE COURT: You want the 12th of September?

11 MR. COPPERTHITE: That's fine, Your Honor.

12 THE COURT: September 12, 9:30 a.m.

13 Any other issues?

14 MR. COPPERTHITE: No, sir.

15 THE COURT: All right. Thank you, counsel.

16 MR. RAVENELL: Your Honor, just one -- we did speak
17 with the probation officer. We were going to meet with
18 Mr. Melhi and the probation officer on July 13th, and we want to
19 make sure you knew that because it's a little outside of the
20 date we had earlier for the pre-trial interview, but it will be
21 July 13 we'd like to meet.

22 THE COURT: For interview?

23 MR. RAVENELL: For interview for probation.

24 THE COURT: Oh, well, that's up to them.

25 MR. RAVENELL: Well, we just want to put it on the

1 record because it goes a little bit outside the five days.

2 THE COURT: Fair enough. I'm not into that, but
3 whatever you need.

4 MR. RAVENELL: Thank you.

5 THE COURT: Anything else?

6 All right. We'll take a brief recess and go on to the
7 next matter.

8 (Recess at 3:05 p.m.)

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1 CERTIFICATE OF COURT REPORTER

2 I, Linda C. Marshall, certify that the foregoing is a
3 correct transcript from the record of proceedings in the
4 above-entitled matter.

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7
8 /s/
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Linda C. Marshall, RPR
Official Court Reporter

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<p>A</p> <p>assigned [1] 8/10/15 assist [2] 9/23 20/21 assistance [3] 15/13 16/22 21/21 Assistant [1] 2/9 associate [1] 20/19 assumed [1] 18/5 assuming [1] 18/9 assure [1] 15/5 attached [1] 10/14 Attachment [1] 18/25 attention [4] 6/10 10/6 17/18 18/22 attorney [6] 1/17 2/9 5/19 15/5 15/13 19/12 attorney's [1] 25/3 Attorney-at-Law [1] 1/17 attorneys [4] 1/13 4/17 13/5 13/12 attributable [1] 7/19 authority [1] 20/22 authorized [1] 22/15 auto [2] 19/16 20/18</p>	<p>17/24 calculations [1] 13/13 call [2] 15/19 22/18 called [1] 20/18 calls [2] 22/16 22/16 campaign [1] 20/9 can [12] 5/11 9/6 12/25 13/24 15/7 15/11 17/20 17/23 24/18 24/22 25/21 26/9 cannot [1] 15/16 capacity [1] 8/8 care [1] 4/4 career [1] 8/13 careful [2] 6/9 18/22 case [7] 2/10 4/20 7/9 13/18 17/1 18/13 23/16 cash [2] 9/7 22/3 category [3] 8/11 18/6 18/10 cellular [2] 22/13 22/16 certain [5] 13/10 13/10 15/1 16/20 20/9 CERTIFICATE [2] 28/1 29/1 certify [2] 28/2 29/2 challenge [3] 16/1 16/5 16/14 chance [2] 5/21 5/24 change [1] 26/9 character [2] 7/21 10/8 characteristic [1] 7/17 characteristics [1] 8/18 charge [3] 12/15 16/13 25/6 charged [3] 4/8 6/2 25/10 charges [1] 4/13 checks [1] 22/3 Cherrywood [1] 1/14 children [3] 3/14 3/15 10/11 choose [1] 25/6 CHUN [2] 1/17 2/13 cigarettes [2] 20/17 20/23 circumstances [1] 17/17 citizen [1] 17/5 citizenship [1] 17/9 civil [1] 10/11 clear [7] 9/6 9/24 12/9 12/19 13/21 16/6 18/3 Clerk [1] 2/24 close [1] 3/5 Code [1] 4/9 coerce [1] 24/5 coerced [1] 23/25 college [2] 3/25 19/17 color [1] 19/25 combined [1] 7/25 come [2] 23/3 26/9 comment [1] 15/17 commerce [4] 6/25 19/22 19/24 21/25 commit [1] 11/7 commits [1] 11/12 committed [1] 14/16 commodities [1] 19/24 compelled [1] 15/17 comprehended [1] 9/4 computation [1] 13/20 COMPUTER [1] 1/25 COMPUTER-AIDED [1] 1/25 concerning [1] 10/7 condition [2] 8/7 12/24 conduct [6] 8/14 10/8 11/9 12/6 20/12 22/14</p>	<p>conducting [1] 16/8 confederate [1] 6/18 conference [4] 12/18 2/21 23/5 23/7 confidential [2] 20/16 21/1 conforms [1] 25/12 confront [1] 15/18 consent [3] 6/22 9/19 20/1 consequence [1] 16/12 consequences [1] 16/19 consideration [1] 11/18 consist [1] 5/7 conspiracy [8] 4/8 6/3 6/15 21/4 21/20 21/23 22/2 22/13 conspire [1] 6/18 conspired [1] 19/21 consult [1] 24/20 consults [1] 13/13 contraband [12] 20/23 21/3 21/7 21/9 21/14 21/19 21/22 21/25 22/3 22/5 22/14 22/18 conversations [1] 22/20 convicted [1] 16/25 convinced [2] 15/6 15/10 coordinating [1] 21/13 COPPERTHITE [6] 1/13 2/9 5/8 6/11 18/10 18/23 correct [6] 4/24 5/3 12/11 13/3 28/3 29/3 could [10] 8/12 15/5 15/9 15/17 15/19 16/9 16/12 17/7 20/22 23/3 couldn't [1] 15/13 counsel [5] 2/6 2/15 11/19 23/3 26/15 count [2] 4/8 6/14 county [9] 19/5 19/10 19/14 20/5 20/12 20/14 20/20 22/8 22/24 County's [1] 19/11 course [3] 21/23 22/1 22/11 court [28] 1/1 1/24 2/3 2/5 2/22 2/23 3/10 6/13 7/7 7/8 8/22 11/16 11/17 13/11 13/13 13/24 17/19 22/15 23/1 23/8 23/9 25/8 25/10 25/15 28/1 28/9 29/1 29/9 Court's [1] 10/6 covered [1] 12/12 covers [1] 12/6 credit [1] 13/1 crimes [3] 10/11 10/11 12/8 criminal [12] 1/4 2/3 8/11 8/11 8/12 8/14 9/21 10/13 13/12 18/5 18/6 18/7 cross [1] 15/19 cross-examine [1] 15/19 Crowell [1] 5/8 custody [1] 13/15</p>
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